THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.26865 of 2006

Dated: 27.12.2006

Between:

Sri Kanumur Subba Raju and others.

.....

PETITIONERS

AND

The Joint Sub Registrar, Visakhapatnam.

.....RESPONDENT

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.26865 of 2006

ORDER:

The petitioners allegedly purchased land admeasuring Acs.4.28 cents in R.S.Nos.140/4 to 140/12 situated at Chinagadila Village (now called Visalakshinagar) in Visakhapatnam Rural Mandal under two agreements of sale executed by their vendors on 14.09.2006. When they presented the documents for registration before the respondent, who though initially received the documents, kept the same pending without any valid reason. Aggrieved by the same, instant writ petition is filed.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue (General-A). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.09.2004.

Following the above, this writ petition is disposed of directing the respondent or any other Registering Officer to accept the documents presented by the petitioners and to consider the same for registration. Be it noted, if for any reason, the documents presented are not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. Even thereafter, if the petitioners have any grievance, they may file appeal before the appellate authority i.e., District Registrar under Section 72 of the Act. Thereafter, if any adverse order is passed by the Appellate Authority, the petitioners can file suit under Section 77 of the Act. No costs.

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(**V.V.S.RAO, J**)

27th December, 2006

ghn